

Serial No. 10/689,373  
Art Unit 1773

Amendment B

Remarks:

Responsive to the Official Action mailed December 19, 2005, Applicant respectfully requests reconsideration, reexamination and allowance of claims 1-2 and 4-6 in view of the above-noted amendments and the following remarks.

The Examiner has first rejected claims 2, 3 and 19 under 35 U.S.C. §112 second paragraph with respect to the description of the core orientation and direction. Applicant has amended claim 2 to indicate that the orientation of the polymer layer is relative to a reference line lying in a plane of the core. In addition, Applicant has cancelled claims 3 and 19. Accordingly, Applicant submits that the §112 rejections have been addressed and respectfully requests that these rejection be withdrawn.

The Examiner also objected to claim 3 as being of improper dependent form. Applicant has cancelled this claim as well.

Next, the Examiner has rejected claims 1-6 and 19 under 35 U.S.C. §103(a) as unpatentable over newly cited Sidorenko et al., Canadian Patent No. 989,287. The Examiner has characterized Sidorenko as disclosing a scrim reinforced paper/plastic board formed from a corrugated paper core with a thermoplastic film bonded to either side. The Examiner states further that the scrim is formed from polypropylene tapes perpendicular to one another. The Examiner has taken the position that the orientation the tapes (perpendicular to one another) meets the recitation directed to orientation in the claimed invention. The Examiner concedes that Sidorenko fails to disclose the material, but has taken the position that the use of polyethylene in the tapes of Sidorenko would have been obvious to one of skill in the art.

Applicant respectfully traverse the rejection of the claimed invention based upon this characterization of the Sidorenko patent. Nevertheless, in an effort to more clearly describe the claimed invention Applicant has amended claim 1 to recite a multi-layer lamination comprising a paperboard core sandwiched between a first contiguous oriented plastic layer and a second contiguous oriented plastic layer wherein the orientations of the plastic layers cross at an angle between but not equal to zero degrees and 180 degrees relative to one another.

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Applicant submits that this is not the structure disclosed in the Sidorenko patent. Specifically, the tapes are not contiguous. In addition, is one were to attempt to analogize the film to the oriented layers, there is nothing to suggest that the film is oriented, not that the film orientations on the opposing sides of the core are oriented at an angle relative to one another.

As best understood, Sidorenko is a more complex structure than the claimed invention. Sidorenko requires a corrugated core, a thermoplastic layer and then the scrims (tapes) on the thermoplastic layer. The thermoplastic and scrim layers are present on both sides of the core. This is not the same structure as that claimed, not is there anything in the Sidorenko patent that would suggest to one skilled in the art to bond oriented plastic layers to opposing sides of a core with the orientations of the sheets at angle to one another.

For the reasons noted above, Applicant submits that claims 1-2 and 4-6 are allowable over the art of record and in condition for allowance and respectfully and earnestly solicits early indication of same.

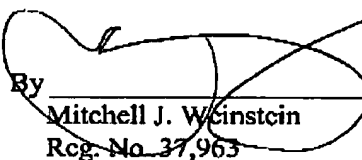
Applicant submits that no fee is due in connection with the present AMENDMENT B. If, however, there is a fee due, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2035. Should any petitions be necessary, it is respectfully requested that the present paper constitute any such necessary petition.

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Should the Examiner believe that a telephone interview would expedite prosecution and allowance of the present application, or address any outstanding formal issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,

By   
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